

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

TELCORDIA TECHNOLOGIES, INC.,)	
)	
Plaintiff and)	
Counterclaim Defendant,)	
)	
v.)	C.A. No. 04-874-GMS
)	
ALCATEL USA, INC.,)	
)	
Defendant and)	
Counterclaim Plaintiff.)	
)	
TELCORDIA TECHNOLOGIES, INC.,)	
)	
Plaintiff and)	
Counterclaim Defendant,)	C. A. No. 04-875-GMS
)	
v.)	
)	
LUCENT TECHNOLOGIES, INC.,)	
)	
Defendant and)	
Counterclaim Plaintiff.)	
)	
TELCORDIA TECHNOLOGIES, INC.,)	
)	
Plaintiff and)	
Counterclaim Defendant,)	C. A. No. 04-876-GMS
)	
v.)	
)	
CISCO SYSTEMS, INC.,)	
)	
Defendant and)	
Counterclaim Plaintiff.)	

STIPULATION AND ORDER CONCERNING
DEPOSITION COUNTING AND USE

Plaintiff Telcordia Technologies, Inc. and Defendants Alcatel USA, Inc., Lucent Technologies, Inc., and Cisco Systems, Inc., by and through their respective counsel of record, hereby stipulate as follows:

1. For Rule 30(b)(6) depositions, each 7-hour period of actual deposition time will count as one deposition, regardless of the number of witnesses designated for that notice. Parts of a 7-hour period will be counted on a fractional basis and any cross-examination will not count against the time of the party taking the Rule 30(b)(6) deposition.

2. Non-Rule 30(b)(6) depositions of witnesses will be limited to one 7-hour period of actual deposition time per witness per party. This limit is subject to accommodations for translation of non-English depositions.

3. Depositions taken in any one of the three parallel actions will, for admissibility purposes, be treated as having been taken from the other two cases as well, and subject to the same evidentiary rules as if the deposition had been taken in the other two cases, if the party against whom the testimony is to be admitted was present at the deposition or, if: (1) the deposition is of a named inventor for any of the patents-in-suit or (2) the deposition is of a third-party to the three parallel actions (other than a deposition of a current or former employee of any of the parties who is being questioned about activities while employed by any of the parties), so long as the party against whom the deposition is being used had a reasonable opportunity to attend the deposition. This stipulation is not a representation by any party that such depositions would not otherwise be admissible.

4. Unless the parties agree otherwise on a deposition-by-deposition basis, any deposition noticed and taken in any one of the three parallel actions will, for counting purposes, be treated as having been taken only in the case in which it is noticed and taken. The other parties are, however, invited to attend and ask questions, subject to the 7 hour limit of the noticing side.

5. The parties agree that fifteen (15) depositions may be taken by Telcordia and fifteen (15) depositions may be taken by the defendant in each of the three parallel actions, with the number of depositions being counted in accordance with the provisions set forth above.

6. For good cause shown the deposition limits set forth in this stipulation may be adjusted by the Court as appropriate. This stipulation is not a representation by any party

that these limits necessarily will reflect the right amount of deposition discovery warranted in any of the actions.

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SO ORDERED this ____ day of May, 2006.

UNITED STATES DISTRICT JUDGE